

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

QUINCY ROGERS,

Plaintiff,

V.

ASHLAND INC.,

Defendant.

Case No. 08 C 1325

Judge Elaine E. Bucklo

Mag. Judge Cox

MOTION FOR ENLARGEMENT OF TIME TO ANSWER OR OTHERWISE PLEAD

Defendant, ASHLAND INC. (“Ashland”), by and through its counsel, Joseph R. Marconi and Victor J. Pioli of JOHNSON & BELL, LTD., hereby moves this Honorable Court pursuant to FED. R. CIV. P. 6(b) for an enlargement of time to answer or otherwise plead to Plaintiff’s Complaint. In support of its motion, Ashland states as follows:

1. Plaintiff originally filed his Complaint and Jury Demand (the “Complaint”) in the Law Division of the Circuit Court of Cook County, Illinois.

2. Ashland is a Kentucky corporation with its principal place of business located in Covington, Kentucky.

3. On March 5, 2008, Ashland filed its Notice of Removal pursuant to 28 U.S.C. § 1441 and 28 U.S.C. § 1446 removing this action to this Court.

4. Pursuant to Fed. R. Civ. P. 81(c), Ashland is to answer or otherwise plead to Plaintiff's Complaint either: (1) within 20 days of service of the Complaint; or (2) within five (5) days after filing its Notice of Removal, whichever is longer.

5. Ashland is to answer or otherwise plead to Plaintiff's Complaint by March 12, 2008.

6. Ashland has only recently retained local counsel in this case and wishes a short enlargement of time to conduct its investigation into Plaintiff's claims and the facts and circumstances of this case.

7. Allowing Ashland the short extension it seeks will allow Ashland to effectively respond to the allegations that have been leveled against it and determine whether any counterclaims or third party claims are appropriate.

8. Prior to the filing of this Motion, Defendant's counsel was unable to reach Plaintiff's counsel to determine his response.¹ Defendant have neither requested nor been granted an extension in this case. Further, this Motion has been filed before the expiration of the period originally prescribed, as set forth in Rule 6(B)(1) of the Federal Rules of Civil Procedure.

9. A draft order granting Ashland's Motion is attached hereto as Ex. A.

WHEREFORE, Defendant, ASHLAND INC., respectfully requests an enlargement of time granting it an additional seven (7) days until March 19, 2008 to answer or otherwise plead to Plaintiff's Complaint.

Respectfully submitted,

ASHLAND INC.

By: /s/ Victor J. Pioli
One of Its Attorneys

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¹ Plaintiff's counsel had approved a 28 day extension to answer, move or otherwise plead, prior to the filing of the Notice of Removal.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed and served upon counsel identified below via e-file this 12th day of March, 2008:

Josh Friedman
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Chicago, IL 60603

/s/ Victor J. Pioli